

May 9, 1979

LB 15, 161, 538

SENATOR WARNER: Mr. President, I move LB 538 be readvanced to E & R engrossment.

SPEAKER MARVEL: All in favor of that motion say aye, opposed no. Motion carried. The bill is advanced. Next, Mr. Clerk, 161.

CLERK: Mr. President, Senator Lewis moves to return LB 161 to Select File for specific amendment.

SPEAKER MARVEL: The Chair recognizes Senator Lewis.

SENATOR LEWIS: Mr. Chairman, the amendment I offer reads as follows: "No faculty member of the University of Nebraska, the Nebraska State Colleges, or the technical community colleges shall be forced to retire before age seventy without due process, nor shall any faculty member have tenure status revoked due to age." We passed a bill about two or three weeks ago and LB 15 sponsored by Senator Nichol on behalf of a very good friend of two or three of us in here, Dr. Harold Arnts from Kearney. We included the university and the state colleges but the regents are having a little problem now in terms of reading. You know at one point they were talking about high school students without minimum competency and it appears they don't understand what the bill said. So on this particular bill I am going to reiterate that so it is very clear and so we can have legislative intent very clear. This amendment says that they shall not be terminated because of age and they are not supposed to do that. Now I want that for the record so they can understand it and I am going to get a transcript of what I just said and send it to them. This is an unnecessary piece of legislation, only made necessary by the failure to comply and I go outside and I talk to their lobbyists and they say, well we don't understand what LB 15 meant and I thought Senator Nichol and I both understood it. I thought the retirement committee understood it and I thought the Legislature understands it. This makes it very clear. I move to bring the bill back and adopt my amendment.

SPEAKER MARVEL: You have heard the motion. There are four lights on. Senator Nichol, do you wish to speak? This is on the Lewis motion to return the bill. Senator Nichol.

SENATOR NICHOL: Question.